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09/894,524	06/27/2001	Martin Boliek	074451.P134	5999

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EXAMINER

LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/894,524

Applicant(s)

BOLIEK ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/26/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **Detailed Action**

### ***Claim Rejections - 35 USC § 112***

1. Claims 10, and 36 have been rejected under 35 U.S.C. 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Regarding claim 10, the phrase "byte map" renders the claim(s) indefinite because the claim include elements not actually disclosed, thereby rendering the scope of the claim unascertainable.
3. Regarding claim 36, the words "resolution", "component", "layer", "precinct", and "tile", lacks clear metes and bounds.
4. The above noted problems are not necessarily an exhaustive listing, but a meant to be exemplary of the types of errors present. It is incumbent upon an applicant to ensure that any amendment filed resolves all deficiencies and places the claims in compliance with 35 USC 112.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

Art Unit: 2142

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9, 13-28, 29(c), and 30-36, and 38 are rejected under 35 USC 102(e) as being anticipated by Guedalia (U.S. Patent 6535878).
7. Claims 29(a), and 29(b) are rejected under 35 USC 102(e) as being anticipated by Fukuhara (U.S. PG Pub# 20010028404).
8. Regarding claim 1, Guedalia teaches a client comprising:
  - a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on a server and identifies data of the compressed codestream already buffered at the client, if any (Guedalia, col. 8, l. 26-33);
  - a processor coupled to the memory to execute the application to generate a request for portions of the compressed codestream based on indications of which portions of the codestream are already stored in the memory as indicated by the data structure (Guedalia, col. 7, l. 1-35).
9. Regarding claim 2, Guedalia further discloses the client defined in claim 1 wherein the processor creates a new codestream by integrating previously obtained portions of the compressed codestream within portions of the compressed codestream received as a result of the request, and the processor

updates markers for the new codestream (Guedalia, col. 8, l.31-33).

10. Regarding claim 3, Guedalia further discloses a system comprising: a
  - server to store a compressed codestream corresponding to image data (Guedalia, col. 18, l. 2-4) ; and
  - a client coupled to the server via a network environment, wherein the client includes a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on the server and identifies data of the compressed codestream already buffered at the client, if any, and further wherein the client requests bytes of the compressed codestream from the server that are not already stored in the memory and generates decoded image data requested by a user from the bytes of the compressed codestream requested from the server and any portion of the compressed codestream previously stored in the memory necessary to create the image data (Guedalia, col. 8, l. 26-33);
11. Regarding claim 4, Guedalia further discloses the system defined in claim 3 wherein the portions of the compressed codestream are selected from a group consisting of packets, tile parts, and coded data segments from a codebook (Guedalia, col. 3, l.46-49, col.5, l.42-43, col. 6, l.18-19);
12. Regarding claim 5, Guedalia further discloses the system defined in claim 3 wherein, when executing the application, the client determines image

characteristics that a user requests, selects data of a compressed codestream that corresponds to the image characteristics, determines data of a compressed codestream that corresponds to the image characteristics that is not already buffered at the client, issues requests to the server to obtain the data of a compressed codestream that corresponds to the image characteristics that is not already buffered at the client, integrates data received from the server with any previously buffered data of the compressed codestream that corresponds to the image characteristics, decodes the data of the compressed codestream that corresponds to the image characteristics, and displays an image corresponding to the decoded compressed codestream. (Guedalia, col. 6, l. 59-67, col. 7, l.1-34, col.9, l.1-15);

13. Regarding claim 6, Guedalia further discloses the system defined in claim 3 wherein the server serves byte requests (Guedalia, col. 5, l. 17-20, "... serves HTML documents is treated as byte requests."
14. Regarding claim 7, Guedalia further discloses the system defined in claim 3 wherein the client further comprises a software decoder, and the client creates the compressed codestream for the software decoder by integrating bytes requested with previously obtained bytes (Guedalia, col. 18, l.15-22).
15. Regarding claim 8, Guedalia further discloses the system defined in claim 3 wherein the client determines the location and length of each packet (Guedalia, col. 7, l.14-15)..
16. Regarding claim 9, Guedalia further discloses the system defined in claim 8

wherein the client requests a headerlength of a compressed file from the server that includes one or more file format boxes and a main header of the codestream box from which the client determines the location and length of each packet (Guedalia, col. 3, l.22-26).

17. Claims 14-21 have similar limitations as claims 5-11, and 13. Therefore, Claims 14-21 are rejected under Guedalia and Fukuhara for the same reasons set forth in the rejection of claims 5-11, and 13.
18. Claims 22-28 have similar limitations as claims 5, 7-11, and 13. Therefore, 22-28 are rejected under Guedalia and Fukuhara for the same reasons set forth in the rejection of claims 5-11, and 13.
19. Regarding claim 29, Guedalia further discloses a method comprising:
  - a) receiving requests for a codestream for a JPEG 2000 image (Fukuhara, [0028]);
  - b) converting requested information to JPEG DCT compression (Fukuhara, [0012]); and
  - c) sending converted requested information using the Internet Imaging Protocol (IIP) (Guedalia, col. 5, l.34-48).
20. Regarding claim 30, Guedalia further discloses a method comprising:
  - providing information to enable a client to determine image size and a maximum number of resolutions (Guedalia, col. 5, l.38-40);
  - receiving a request for one or more tiles of a codestream of compressed data (Guedalia, col. 7, l.5-8), and
  - parsing the codestream of compressed data to locate packets related to the request(Guedalia, col. 7, l.1-3),
  - including packets for a requested tile at a resolution less than or equal to the resolution requested and all layers (Guedalia, col. 5, l.34-67).
21. Regarding claim 31, Guedalia further discloses the method defined in claim 30

wherein packets located as a result of parsing includes all packets for a requested tile at a resolution less than or equal to a resolution requested and all layers (Guedalia, col. 5, l.34-67).

22. Regarding claim 32, Guedalia further discloses the method defined in claim 30, where the information comprises an HTML document (Guedalia, col. 5, l.17-20).
23. Claim 33 has similar limitations as claim 32. Therefore, Claims 33 is rejected under Guedalia for the same reasons set forth in the rejection of claims 32.
24. Claim 34 has similar limitations as claim 30. Therefore, Claims 34 is rejected under Guedalia for the same reasons set forth in the rejection of claims 30.
25. Regarding claim 35, Guedalia further discloses the system defined in claim 34 wherein the request system includes component, layer and precinct information (Guedalia, col. 7, l.10-15).
26. Claims 36, and 38 have similar limitations as claim 35. Therefore, Claims 36-38 Are rejected under Guedalia for the same reasons set forth in the rejection of claim 35.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



27. Claims 10-13, 37 are rejected under 35 U.S.C 103(a) as being unpatentable over Guedalia in view of Fukuhara et al., (US PG Pub# 20010028404).
28. Regarding claims 10, and 13, Guedalia differs from the claimed invention in that it does not explicitly indicate the two marker segments on the client side, instead “.. Images are typically represented in one of two standard formats, JPEG or GIF....” (Guedalia, col. 5, l.25-26). Fukuhara teaches a device similar to that of Guedalia's and indicates that “..The ISO is now preparing the JPEG2000 standard, to take the place of the aforementioned JPEG standard, as the next-generation international standard for still pictures ...” (Fukuhara, [0004]). With the compatible new standard JPEG2000, therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Guedalia's JPEG with Fukuhara's JPEG2000.  
Regarding claim 11, Guedalia fails to teach the TLM and PLM marker segments. Fukuhara teaches the TLM, and PLM marker segments on (Fukuhara, [0039]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Guedalia's JPEG with Fukuhara's JPEG2000, which provide the optimum encoding and decoding scheme : TLM, and PLM and improve the picture performance (Fukuhara, [0039]).
29. Regarding claim 12 has similar limitations as claim 11. Therefore, claim 12 is rejected under Guedalia and Fukuhara for the same reasons set forth in the rejection of claim 11.

30. Regarding claim 37 has similar limitations as claim 13. Therefore, claim 37 is rejected under Guedalia and Fukuhara for the same reasons set forth in the rejection of claim 13.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to application's disclosure.

- Guedalia et al., (Patent No. 6356283) Method and System for HTML-Driven Interactive Image Client
- Blumberg Robert (Pataen No. 6708309) Method and System for Viewing Scalable Documents.
- Dekel et al., (US PG Pub #20020159653) System and Method for The Lossless Progressive Streaming of Images over a Communication Network.
- IEEE – Computer Society Press, “Thirteenth IEEE Symposium on Mass Storage Systems Storage – The Integration of Distributed File System and Mass Storage System”, June 12-16, 1994, pp.27-31.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 703-605-1726.

The examiner can normally be reached on Flexible 4/9/5.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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10/6/04

  
JACK D. HARVEY  
SUPERVISORY PATENT EXAMINER